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Of Counsel
William H. BuRoss, III
Ruth S. Baker-Battist
Robert J. Keller

June 21, 1999

Ms. Magalie Salas
Secretary
Federal Communications Commission
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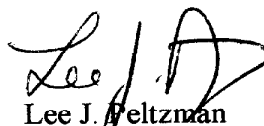
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: MM Docket No. 99-140
RM-9374
Amendment of Section 73.202(b)
Table of Allotments,
FM Broadcast Stations
Kennett, Missouri,
Munford, Tennessee,
and Keiser, Arkansas

Dear Ms. Salas:

Transmitted herewith, on behalf of Legend Broadcasting, Inc., is an original and four (4) copies of its Comments and Counterproposal in MM Docket 99-140. Please contact the undersigned in the event the Commission has any questions with respect to these Comments.

Sincerely,



Lee J. Heltzman
Counsel for
LEGEND BROADCASTING, INC.

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Enclosure

ORIGINAL

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554**

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**FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY**

In the Matter of)	
)	
Amendment of Section 73.202(b),)	MM Docket No. 99-140
Table of Allotments,)	RM-9374
FM Broadcasting Stations.)	
(Kennett, Missouri)	
Keiser, Arkansas and)	
Munford, Tennessee))	

TO: Chief, Allocations Branch
Policy and Rules Divisions
Mass Media Bureau

COMMENTS AND COUNTERPROPOSAL

Legend Broadcasting, Inc. ("Legend"), licensee of Radio Station KTMO(FM), Kennett, Missouri, by its counsel and pursuant to the Notice of Proposed Rule Making ("NPRM"), DA 99-819, in the above-referenced Docket, released April 30, 1999, is hereby filing its Comments and Counterproposal with respect to Legend's Petition for Rule Making ("Petition") proposing the reallocation of Channel 255C from Kennett, Missouri to Keiser, Arkansas and the modification of KTMO(FM)'s license to specify operation at Keiser. In these Comments, and as will be explained, Legend respectfully requests that instead of reallocating Channel 255C to Keiser, the Commission reallocate Channel 255C to Munford, Tennessee. In support thereof, the following is respectfully shown:

1. As reflected in the Commission's April 30, 1999 NPRM, Legend had originally proposed in its Petition that Channel 255C be reallocated from Kennett, Missouri to Keiser, Arkansas and that Station KTMO(FM) have its license modified to specify operation at Keiser. In the interim, however, Legend has discovered a more beneficial allocation arrangement and

herein counterproposes that in lieu of the reallocation of Channel 255C from Kennett, Missouri to Keiser, Arkansas, the channel instead be reallocated to Munford, Tennessee as that community's first local service.

2. Munford has the social, economic and governmental indices to qualify as a community for allotment purposes (Exhibit 1). According to the 1990 Census, Munford has a population of 2,326.¹ Munford, located in southwest Tipton County, Tennessee, is governed by a mayor/alderman system of government. The city provides water, sewer, natural gas, police and fire services to its residents. Munford has an elementary, a middle and a high school. The community has numerous banks, commercial establishments, restaurants, churches, a public recreation center, and its own Post Office. However, no AM or FM stations are currently licensed to Munford, either commercial or non-commercial. Consequently, the allocation of Channel 255C to Munford, Tennessee will constitute its first local service.

3. As previously indicated in Legend's Petition, Kennett, Missouri is adequately served. Besides KTMO(FM), commercial stations KBOA(AM), KTOC(FM) and KXOQ(FM) are licensed to Kennett, Missouri. Furthermore, non-commercial educational station KAUF(FM) is operating and licensed to Kennett. Consequently, the proposed reallocation of Channel 255C from Kennett, Missouri to Munford, Tennessee will not deprive Kennett of its only local service.

4. The proposed reallocation complies with the Commission's rules and would serve the Commission's allotment priorities and the public interest. In Amendment of the Commission's Rules Regarding Modification of FM and TV Authorizations to Specify a New Community of License, 4 FCC Rcd. 4870 (1989), recons. granted in part, 5 FCC Rcd. 7094 (1990) (hereinafter, "Community of License"), the Commission stated the proposed channel

¹ According to 1996 Census data, the population of Munford is 3,941. (Exhibit 1).

must be mutually exclusive with the existing channel and the new community must be preferred over the existing community under the Commission's allotment priorities. Since we are proposing the reallocation of Channel 255C from Kennett, Missouri to Munford, Tennessee, the Counterproposal is mutually exclusive with the current use of Channel 255C.

5. Further, the new community, Munford, will obtain a first local service, whereas Kennett will retain existing service from two commercial AM stations, one commercial FM station and a non-commercial FM station. Under the Commission's allotment criteria, a first local service is preferred over additional local services. See, Revision of FM Assignment Policies and Procedures, 90 FCC 2nd 88 (1982).

6. As discussed in the attached Technical Statement, the instant Counterproposal proposes the relocation of the reference point of Channel 255C and reflects a site restriction of 41.7 kilometers north of Munford to avoid short spacing WYMX(FM), Channel 256C, Greenwood, Mississippi.² While Munford is in Tipton County which adjoins Shelby County, Tipton County itself is not in the Memphis urbanized area according to the 1990 Census. Thus, Munford is not located in any urbanized area. Further, the 70 dBu contour of the relocated KTMO will not encompass 50 percent or more of the Memphis urbanized area and, in fact, will provide less than 10 percent of 70 dBu coverage over the Memphis urbanized area. See Technical Exhibit attached hereto.

7. The relocation of KTMO will provide significant public service benefits at the proposed site. First, as noted above, Munford must be preferred for a first local service over Kennett. Further, KTMO operating at Munford, Tennessee will provide 60 dBu coverage to

² From the proposed site, Channel 255C is mutually exclusive with the proposed allotment of Channel 254A at North Tunica, Mississippi in Docket No. 99-145 and the instant proposal will be timely filed as comments in that docket.

1,343,557 persons in 26,483.5 square kilometers representing an increase in nearly 1,140,000 persons and 15,741 square kilometers over the currently authorized facility.³ KTMO's present facilities only provide coverage to approximately 320,000 persons in 16,507 square kilometers. Therefore, the proposed reallocation to Munford, Tennessee will represent a 300 percent increase in population served by KTMO(FM) and will also provide a first local service to a sizeable independent community deserving of service.

8. Petitioner hereby states that should the Commission grant the instant proposal to reallocate Channel 255C from Kennett, Missouri to Munford, Tennessee and modify Radio Station KTMO(FM)'s license accordingly, petitioner will file an application for the new facilities and will implement that application expeditiously after Commission grant.

Accordingly, for the reasons stated above, Legend Broadcasting, Inc. respectfully requests that the Commission amend its Table of Allotments to reallocate Channel 255C from Kennett, Missouri to Munford, Tennessee in order to provide a first local service and to modify the license of Legend.

Respectfully submitted,
LEGEND BROADCASTING, INC.

By: _____

Aaron Shainis
Lee J. Peltzman
Its Attorneys

SHAINIS & PELTZMAN, CHARTERED
1901 L Street, N.W. – Suite 290
Washington, D.C. 20036
(202) 293-0011

June 21, 1999

³ As indicated in the attached engineering, the proposed relocation of KTMO's transmitter site will result in a withdrawal of the 60 dBu contour to a portion of the area presently served by the station's licensed 60 dBu contour. However, as indicated, the "loss" area is well served with a minimum of five FM services remaining in the area after the withdrawal of the KTMO(FM) 60 dBu contour.

SU-96-7 Estimates of the Population of Places: Annual Time Series, July 1, 1991 to July 1, 1996
(includes revised April 1, 1990 census population counts)

These data were released to the public November 1997.
These data supersede data released with Press Release CB95-179

Source: Population Estimates Program, Population Division, U.S. Bureau of the Census, Washington, DC 20233
Contact: Statistical Information Staff, Population Division, U.S. Bureau of the Census 301-457-2422

Internet Release Date: November 18, 1997

		4/1/90	7/1/91	7/1/92	7/1/93	7/1/94	7/1/95	7/1/96
TN Mount Juliet city	47 50780 0998	5389	5741	5952	6211	6555	6988	7430
TN Mount Pleasant city	47 51080 1000	4278	4402	4417	4471	4563	4574	4596
TN Mumfords town	47 51540 1005	<u>2326</u>	2540	2693	3055	3359	3657	<u>3941</u>
TN Murfreesboro city	7 51560 10100	44922	46260	47411	49093	50357	52210	53966

Statistics on Munford , Tennessee

Population

1950.....	976
1960.....	1,014
1970.....	1,281
1980.....	2,336
1992 (est.).....	2,831

Taxes

Sales tax..... 8.25% (combined city and state)
Property tax rate
(Per \$100, 25% ratio) \$.58 (city) \$3.57 (county)

Utilities

Cable T.V. provided by Millington Telephone Co.
Telephone: Millington Telephone Co. (an independent telephone Co.)
Electricity: Southwest Tennessee Electric Cooperative
Natural Gas: City of Munford
Water: City of Munford

Misc. Amenities

Munford has 3 parks; one city park, one Soccer/Tennis park, and one large park under construction (Munford Regional Park will be 107.5 acres and will have a lake, trails, soccer, baseball, riding club, shooting range and more.

Munford also has 4 restaurants, 2 banks, one supermarket, 1 department store, 1 discount store (Fred's), 7 churches, a public recreation center with skating rink, several family physicians, 1 veterinary clinic, a well stocked video rental store, and much more!

Government/ Public Safety

Munford has a full time police department with 8 full-time and 5 reserve officers. It consistently hires officers from the top echelons of state approved training academies. Munford also has an excellent volunteer fire department, which has earned us an insurance rating of 5.

The city is governed by a mayor/alderman system.
Zoning regulations ensure planned and orderly development in Munford and the surrounding area.

Schools

The Tipton County school system maintains 3 modern schools in

Munford (an elementary, middle and high school). (My wife and I shopped several private schools in Memphis before concluding Munford Elementary was the superior choice for our kindergarten aged son.). All three schools are air conditioned, with modern facilities and equipment.

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Munford High School is a Class 5A school, currently running on a block schedule, with an enrollment of around 1,600 students, grades 9 - 12. We are located at 1080 McLaughlin Drive, Munford, Tennessee 38058.



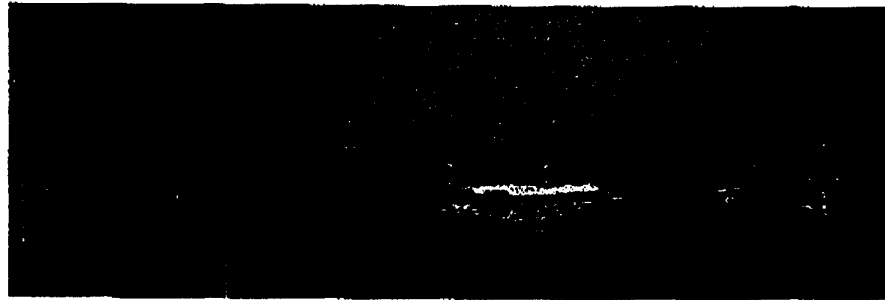
Principal of **Munford High School** is W. Daryl Walker, and Assistant Principals are Leisa Barnett, Steve McCullough, Robert Wayne McMillin, and Adrian Nathaniel.

Photo by *Art Herbert*, Alumni.

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Munford Elementary School



Patsy K. Fee - Principal

1200 McLaughlin

Munford, Tennessee 38058

901-837-0152

Our mission is to provide a positive educational beginning that will empower students with the skills necessary to become lifelong learners.

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Higdon Mary G DDS	35 E Main St	Munford, TN	(901) 837-6646	Y! Small Business
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John R Nichols DDS - Nichols Family Dentistry	28 N Tipton Rd	Munford, TN	(901) 837-3455	
Karen A Armour MD - Family Healthcare Group	99 Doctors Dr # 700	Munford, TN	(901) 837-7200	
L C Bierman OD - Bierman & Whitley	68 Doctors Dr	Munford, TN	(901) 837-0188	
Methodist Alliance Health Svc	456 Munford Atoka Ave	Munford, TN	(901) 837-1350	
Rachel J Farmer MD - Family Healthcare Group	99 Doctors Dr # 700	Munford, TN	(901) 837-7200	
Stan J Whitley OD - Bierman & Whitley	68 Doctors Dr	Munford, TN	(901) 837-0188	
Turner John W DDS	99 Doctors Dr # 200	Munford, TN	(901) 837-6300	

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Munford Fire Department

Munford, Tennessee, USA

63 College Street
(901)837-0171

Class V ISO rating for a 30 square mile protection area
EMS, Extrication/Rescue, HazMat, Fire Protection

- Chief: Jack Foraker
- Asst. Chief: Dale Burress
- Captain: Brett Pickard
- Captain: Alan Barkelew
- Lieutenant: Jay Bonson

E-Mail: FirePoint@msn.com

munford.com Business Directory


Post_Offices

Atoka Post Office
186 Atoka Munford Road
Atoka TN 38004
901-837-8335

Brighton Post Office
1600 Old Highway 51 S
Brighton TN 38011
901-837-7677

Drummonds Post Office
5701 Richardson Landing Road
Drummonds TN 38023
901-835-3131

Mason Post Office
361 Highway 70 W
Mason TN 38049
901-294-3536

 Munford Post Office
25 Bass Av
Munford TN 38058
901-837-8744

Tipton Post Office
2520 Tipton Rd
Tipton TN 38071
901-837-7989

church directory

munford.com



African Methodist Episcopal

ST. MARK AME CHURCH

✓ 842 Tipton Rd.
Munford, TN
901-837-8961

Assembly of God

FIRST ASSEMBLY OF GOD BRIGHTON

✓ 1422 Old Highway 51 South
Munford, TN
901-837-0950

FIRST ASSEMBLY OF GOD

✓ 220 Beaver Rd.
Munford, TN
901-837-8781

POPLAR GROVE ASSEMBLY OF GOD CHURCH

2600 Glen Springs Rd.
Drummonds, TN
901-835-2611

SIMONTON ASSEMBLY OF GOD CHURCH

✓ 4100 Munford Giltedge Rd.
Munford, TN
901-837-2168

SOUTH TIPTON ASSEMBLY OF GOD

✓ 538 Simmons Rd.
Munford, TN
901-837-2140

Baptist

FIRST BAPTIST KEELING

373 Sartain Rd.
Mason, TN
901-294-2647

HOPEWELL BAPTIST CHURCH

4792 Beaver Creek Rd.
Mason, TN
901-294-2335

MT.SINAI MISSIONARY BAPTIST CHURCH

Highway 59
Mason, TN
901-594-5459

MUNFORD BAPTIST CHURCH

✓ 1289 Munford Atoka Ave.
Munford, TN

901-837-9276

✓ NEW BIRTH BAPTIST CHURCH
9395 Highway 51 South
Munford, TN
901-837-2937

POPLAR SPRING MB CHURCH
1145 Poplar Spring Loop
Mason, TN
901-594-5545

PROGRESSIVE BAPTIST CHURCH
5140 Highway 70
Mason, TN
901-594-5255

✓ ANTIOCH BAPTIST CHURCH
146 Antioch Church Rd.
Munford, TN
901-837-8439

BEAVER BAPTIST CHURCH
9344 Holly Grove Rd.
Brighton, TN
901-837-2904

CANAAN GROVE BAPTIST CHURCH
57 Canaan Grove Rd.
Mason, TN
901-294-2990

CEDAR GROVE MISSIONARY BAPTIST CHURCH
281 Washington Ave.
Mason, TN
901-294-3696

✓ FAITH BAPTIST CHURCH
58 Jean Dr.
Munford, TN
901-837-2683

FELLOWSHIP BAPTIST CHURCH
4635 Quito Drummonds Rd..
Drummonds, TN
901-835-2143
FIRST BAPTIST CHURCH OF MILLINGTON
8077 Wilkinsville Rd.
Millington, TN 38053
901-872-2264

GATEWAY BAPTIST CHURCH
1915 Rosemark Rd.
Atoka, TN
901-837-8087

✓ JONES GROVE MISSIONARY BAPTIST CHURCH
366 Simmons Rd.
Munford, TN
901-837-2559

SAINT PAUL CHAPEL
8991 Richardson Landing Rd.
Drummonds, TN
901-835-2006

✓ BETHEL BAPTIST CHURCH
29 Andrea Dr.
Munford, TN
901-837-2247

FIRST BAPTIST CHURCH
102 Kimbrough Ave.
Atoka, TN
901-837-0664 or 837-0663

ST. JOHN MISSIONARY BAPTIST CHURCH
2086 Atoka Idaville Rd.
Atoka, TN
901-837-2074

ST. MARK MISSIONARY BAPTIST CHURCH
3220 Wilkinsville Rd.
Drummonds, TN
901-835-3177

✓ UNION GROVE MISSIONARY BAPTIST CHURCH
1130 Boswell Rd.
Munford, TN
901-837-0556

✓ UNION HILL BAPTIST CHURCH
1379 Joe Joyner Rd.
Munford, TN
901-837-2011

VICTORY BAPTIST CHURCH
5422 Drummonds Rd.
Drummonds, TN
901-835-2880

Church of Christ

BRIGHTON CHURCH OF CHRIST
1650 Old Highway 51 South
Brighton, TN
901-837-7600

✓ TIPTON CHURCH OF GOD IN CHRIST
470 Watson Rd.
Munford, TN
901-837-8356

MASON CHURCH OF CHRIST
64 Wall St.
Mason, TN
901-294-2071

✓ MUNFORD CHURCH OF CHRIST
435 Tipton St. S.

Munford, TN
901-837-8639

Church of God

NEW HOPE CHURCH OF GOD IN CHRIST
8323 Richardson Landing Rd.
Drummonds, TN
901-835-3109

Episcopal

ST. PAUL'S EPISCOPAL CHURCH
2406 Highway 70
Mason, TN
901-294-2641

Evangelical

✓ CALVARY BIBLE CHURCH
894 Munford Atoka Ave.
Munford, TN
901-837-8563

Interdenominational
HOLY GHOST TEMPLE
8381 Richardson Landing Rd.
Drummonds, TN
901-835-2461

✓ ROSE OF SHARON CAMPGROUND CHURCH
3065 Candy Ln
Munford, TN
901-837-7095

Nazarene

TIPTON COUNTY CHURCH OF THE NAZARENE
3865 Beaver Rd.
Brighton, TN
901-837-2545

Pentecostal

✓ UNITED PENTECOSTAL CHURCH
2933 Meade Lake Rd.
Munford, TN
901-837-0445

Presbyterian
ATOKA EVANGELICAL PRESBYTERIAN
1041 Atoka-Idaville Rd.
Atoka, TN
901-837-3500

✓ NEW LIFE PRESBYTERIAN CHURCH-PCA
133 Munford Atoka Ave.

Munford, TN
901-837-6804

✓ BETHEL CUMBERLAND PRESBYTERIAN CHURCH
3406 Tracy Rd.
Munford, TN
901-837-0343

✓ MUNFORD PRESBYTERIAN CHURCH
25 Tipton St. N
Munford, TN
901-837-6721

✓ SALEM ASSOCIATE REFORMED PRESBYTERIAN
CHURCH
3400 Atoka Idaville Rd.
Munford, TN
901-837-8210

United Methodist

✓ HOPEWELL UNITED METHODIST CHURCH
3866 Munford Giltedge Rd.
Munford, TN
901-837-4661

ALEXANDRIA UNITED METHODIST CHURCH
186 Front St.
Mason, TN
901-294-2235

ATOKA UNITED METHODIST CHURCH
609 Atoka Munford Ave.
Atoka, TN
901-837-8454

BRADEN UNITED METHODIST CHURCH
230 Highway 59
Mason, TN
901-594-5301

✓ MUNFORD FIRST UNITED METHODIST CHURCH
57 Tipton St. S
Munford, TN
901-837-8881 or 837-9130

POPLAR GROVE UNITED METHODIST CHURCH
228 Quito Drummonds Rd.
Drummonds, TN
901-835-2568

QUITO UNITED METHODIST CHURCH
4580 Quito Drummonds Rd.
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Munford City Pawu Shop	88 Munford Atoka Ave	Munford, TN	(901) 837-9169	
Munford Elementary School	1200 McLaughlin Dr	Munford, TN	(901) 837-0152	
Munford Fire Dept	1397 Munford Atoka Ave	Munford, TN	(901) 837-0171	
Munford Gas Dept	1397 Munford Atoka Ave	Munford, TN	(901) 837-0171	
Munford Heating & Air Cond Co	6 E Main St	Munford, TN	(901) 837-0366	
* Munford High School	1080 McLaughlin Dr	Munford, TN	(901) 837-0173	Website
Munford Middle School	100 Education Ave	Munford, TN	(901) 837-1700	
Munford Parks & Recreation	63 College St	Munford, TN	(901) 837-5965	
Munford Police Dept	1397 Munford Atoka Ave	Munford, TN	(901) 837-0171	
Munford Union Bank	1483 Munford Atoka Ave	Munford, TN	(901) 837-3385	
Munford Union Bank	1426 Munford Atoka Ave	Munford, TN	(901) 837-3385	
Munford Waste Water Plant	525 Beaver Rd	Munford, TN	(901) 837-5975	
Munford Water Dept	1397 Munford Atoka Ave	Munford, TN	(901) 837-0171	
Munford Water Treatment Plant	60 Water St	Munford, TN	(901) 837-5974	
Robert Y Hawks DVM - Munford Animal Clinic	523 Corbitt Dr	Munford, TN	(901) 837-0101	
Terry Barnett DVM - Munford Animal Clinic	523 Corbitt Dr	Munford, TN	(901) 837-0101	

* Listing has more information

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<u>Munford Gas Dept</u>	1397 Munford Atoka Ave	Munford, TN	(901) 837-0171
<u>Munford Waste Water Plant</u>	525 Beaver Rd	Munford, TN	(901) 837-5975
<u>Munford Water Dept</u>	1397 Munford Atoka Ave	Munford, TN	(901) 837-0171
<u>Munford Water Treatment Plant</u>	60 Water St	Munford, TN	(901) 837-5974

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GRAHAM BROCK, INC.

BROADCAST TECHNICAL CONSULTANTS

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LEGEND COMMUNICATIONS, INC.
KTMO RADIO STATION
KENNETT, MISSOURI
June 1999

TECHNICAL EXHIBIT

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KTMO RADIO STATION
KENNETT, MISSOURI
June 1999

1. This technical statement and attached exhibits were prepared on behalf of Legend Communications, Inc. ("Legend"), licensee of KTMO, Channel 255C, Kennett, Missouri. These comments are being submitted in MM Docket # 99-140 in which Legend, the petitioner, requested that the community of license for KTMO be changed from Kennett, Missouri, to Keiser, Arkansas. These comments propose that, in lieu of the change in community of license to Keiser, Arkansas, KTMO's community of license be changed from Kennett, Missouri, to Munford, Tennessee, and that Channel 255C be allotted to Munford, Tennessee, as that community's first local service.

2. Munford, Tennessee, is located in northwest Tipton County, Tennessee. Based on the 1990 Census, Munford has a population of 2,326. Presently, there is no AM or FM service licensed to Munford. The allotment of Channel 255C would provide first locally licensable service to the community of Munford.

3. Legend, therefore, requests that Channel 255C be allotted to Munford, Tennessee, as that community's first local FM licensable service at geographic coordinates North Latitude 35° 46' 53" and West Longitude 89° 36' 46". This reflects a site restriction of 41.7 kilometers north of the community to avoid shortspacing station WYMX, Channel 256C, Greenwood, Mississippi.¹

1) From this proposed location, Channel 255C is shortspaced to the proposed allotment of Channel 254A at North Tunica, Mississippi, as proposed in MM Docket #99-146. The comment period in that docket closes on June 28, 1999. This proposal will be resubmitted in that docket by the deadline for comments.

From this location, a maximum Class C facility will deliver a 3.16 mV/m contour over the community of Munford. Attached as Exhibit #1 is a usable area map depicting the usable area for Channel 255C at Munford, Tennessee.² Attached as Exhibit #2 is a §73.207 spacing analysis showing that Channel 255C at Munford meets the Commission's minimum distance separation requirements to all licensed and applied for facilities.³

4. The relocation of KTMO from its presently licensed site to the herein requested reference coordinates for Channel 255C results in a withdrawal of the 60 dBu contour to a portion of an area presently serviced by the licensed KTMO 60 dBu. An evaluation has been conducted to determine the number of other services within the 60 dBu loss area of KTMO. Attached as Exhibit #3 is a map depicting the area that will no longer receive service from KTMO as a result of the change in community of license. As shown on the map, there are numerous FM commercial and non-commercial licensed facilities delivering service to portions of the loss area. There are at minimum five other FM services remaining in the area, after the withdrawal of the KTMO 60 dBu. A tabulation of the FM stations providing 60 dBu service to this area is attached as Exhibit #4. Therefore, the withdrawal of the KTMO 60 dBu contour from this area will not result in the creation of any white area or gray area.⁴ In fact, the area is serviced by more than five services, therefore, this area will remain well served. Further, there will also be areas that will receive first time service from a relocated KTMO. These areas likewise have numerous services.

2) The map does not consider the Channel 254A proposal at North Tunica, Mississippi.

3) With the exception of Channel 254A at North Tunica, Mississippi.

4) Gray area is defined as areas in which there are at least two services.

The relocation of KTMO will not provide white or gray area service as a result of the relocation.⁵ Exhibit #5 is a map showing the number of licensed FM commercial and non-commercial 60 dBu contours are in the gain area. A tabulation of the stations is shown on Exhibit #6.

6. Munford, Tennessee, (in Tipton County) is located in a county adjoining Shelby County in which Memphis is located. As shown on Exhibit #7, the 70 dBu contour of the relocated KTMO will not encompass 50% or more of the Memphis Urbanized Area. In fact, coverage from the KTMO facility, based on a maximum Class C from the herein proposed referenced site, will only be provided service from 6.25% of the 70 dBu contour over the Memphis Urbanized Area. As such, an evaluation pursuant to the Faye and Richard Tuck criteria was not undertaken.⁶

7. Therefore, Legend proposes the following changes in the Commission's Table of FM Allotments, §73.202b of the rules:

Munford, Tennessee

Present
None

Proposed
255C

Kennett, Missouri

Present
255C, 282A

Proposed
282A⁷

5) See Footnote 6 supra.

6) 3 FCC Rod 5374

7) In addition, non-commercial FM station KAUF on Channel 210A, as well as AM stations KOTC on 830 kHz and KBOA on 1540 kHz, will remain licensed to Kennett, Missouri.

PUBLIC INTEREST ASPECTS

8. The re-allotment of Channel 255C from Kennett, Missouri, to Munford, Tennessee, will provide first locally licensable FM service to the community of Munford, Tennessee, without depriving Kennett, Missouri, of its only facility, since stations KXOQ, KAUF, KOTC and KBOA will remain licensed to Kennett, Missouri. In addition, a maximum Class C facility operating at Munford, Tennessee, will provide 60 dBu coverage to 1,343,557 persons in 26,483.5 square kilometers.* This represents an increase in 1,139,398 persons and 15,741.4 square kilometers over the currently authorized facility.^{9 10}

9. This counterproposal is mutually exclusive with the request contained in MM Docket #99-146 and the Munford, Tennessee, allotment of Channel 255C is mutually exclusive with the existing KTMO facility in Kennett, Missouri, as well as to the previously requested Keiser proposal. This proposed re-allotment is from one rural community to a second rural community (Kennett, Missouri, to Munford, Tennessee) and, as indicated above, it will not deprive Kennett of its only locally licensed services.

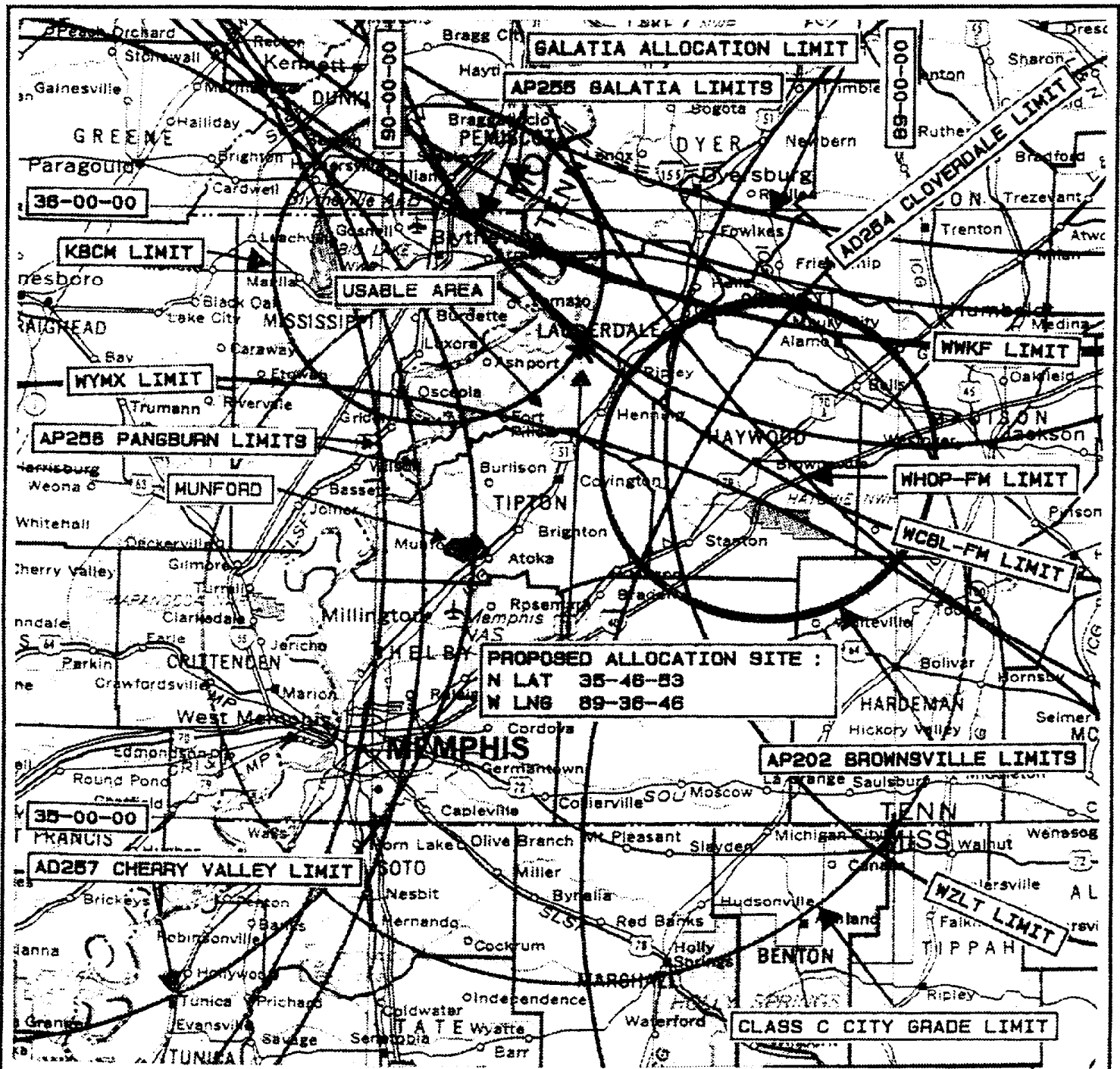
10. The foregoing comments were prepared on behalf of Legend Communications by Graham Brock, Inc., its Technical Consultants. All information contained herein is true and accurate to the best of our belief and knowledge. All data relating to FM facilities and allotments

8) As presently authorized, KTMO provides 60 dBu service to 320,028 persons in 16,506.9 square kilometers.

9) Less the amount of persons that would lose service from KTMO as a result of the relocation (115,869 persons reside in the theoretical loss area. Population and area calculations based on 36 equally spaced radiata.

10) It is further noted that the originally proposed change in community to Keiser would have only served an additional 173,599 persons in 9,912.0 square kilometers over the licensed KTMO facility.

was extracted from the NTIA database as updated on June 10, 1999. We assume no liability for errors or emissions in that database, which may be adverse to the request contained herein. All population data was extracted from the PL 94-171 computer files. All terrain calculations were based on the use of a three second arc database.



USABLE AREA CHANNEL 255C

MAP IS A PHOTO ENLARGED PORTION OF THE
1: 2, 000, 000 SCALE U.S.G.S. NATIONAL
ATLAS MAP.

MAP DOES NOT CONSIDER THE PROPOSED NORTH
TUNICA, MS PROPOSAL ON CHANNEL 254A.



EXHIBIT #1
COMMENTS & COUNTERPROPOSAL
LEGEND COMM., INC.
MM DOCKET #99-140
MUNFORD, TENNESSEE

June 1999

GRAHAM BROCK, INC.
BROADCAST TECHNICAL CONSULTANTS

COUNTERPROPOSAL
LEGEND COMMUNICATIONS, INC.
KTMO RADIO STATION
KENNETT, MISSOURI
June 1999

EXHIBIT #2

ALLOCATION STUDY FOR Munford, TENNESSEE
 USING PROPOSED ALLOCATION SITE AS REFERENCE

REFERENCE	CLASS C	DISPLAY DATES
35 46 53 N		DATA 06-18-99
89 36 46 W	Current rules spacings	SEARCH 06-18-99
----- CHANNEL 255 - 98.9 MHZ -----		

CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-M1	R-KM R-M1	MARGIN (KM)
AD255	255C	Munford	TN	0.0	0.0	290.0	-290.00
AD	35 46 53 89 36 46		0.000 kW	OM	0.0	180.2	
Legend Broadcasting, Inc.							
KTMO	255C	Kennett	MO	306.9	65.16	290.0	-224.84
LI CN	36 07 53 90 11 34		100.000 kW	303M	40.5	180.2	
Legend Broadcasting, Inc. BLH-890504KB							
* AD254	254A	North Tunica	MS	212.3	146.51	165.0	-18.49
AD	34 39 50 90 28 13		0.000 kW	OM	91.1	102.6	
Fred R. Flinn RM-9490							
KBCM.A	202A	Blytheville	AR	300.2	29.05	29.0	0.05
AP CN	35 54 45 89 53 29		0.500 kW	58M	18.0	18.0	
American Family Association BMPED-990326MA							
>From channel 201 A							
KBCM.C	201A	Blytheville	AR	300.2	29.05	29.0	0.05
CP CN	35 54 45 89 53 28		0.225 kW	58M	18.0	18.0	
American Family Association BPED-961205MB							
WCBLFM	256A	Benton	KY	43.3	165.55	165.0	0.55
LI CN	36 51 30 88 20 13		3.300 kW	91M	102.9	102.6	
The Purchase Broadcasting Co. BMLH960213KA							
WCBLFM	256A	Benton	KY	43.3	165.61	165.0	0.61
CP CN	36 51 31 88 20 11		3.300 kW	91M	102.9	102.6	
Jim W. Freeland BPH990128IK							
WWKF	257A	Fulton	KY	38.0	96.83	95.0	1.83
LI CN	36 27 59 88 56 47		3.000 kW	91M	60.2	59.0	
Wenk-FM of Union City, Inc. BLH821222AO							
AP202	202A	Brownsville	TN	121.3	38.65	29.0	9.65
AP CN	35 36 01 89 14 53		0.100 kW	20M	24.0	18.0	
Haywood County Board of Educ. BPED-970603MB							
AP202	202A	Brownsville	TN	122.4	39.17	29.0	10.17
AP DCN	35 35 33 89 14 50		0.500 kW	38M	24.3	18.0	
Broadcasting for the Challenged BPED-980108MI							

**COUNTERPROPOSAL
LEGEND COMMUNICATIONS, INC.
KFMO RADIO STATION
KENNETT, MISSOURI
June 1999**

EXHIBIT #2 (continued)

CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)
AP255 AP CN	255A 37 47 28	Galatia 88 42 02	IL 6.000 kW	19.7 100M	237.42 147.6	226.0 140.5	11.42
		W. Russell Withers, Jr.			941208MH		
AP255 AP CN	255A 37 47 02	Galatia 88 39 02	IL 6.000 kW	20.8 100M	238.24 148.1	226.0 140.5	12.24
		Southern Illinois Broadcasting			941205MB		
WYMX LI CY	256C 33 34 35	Greenwood 90 22 34	MS 100.000 kW	196.1 300M	254.41 158.1	241.0 149.8	13.41
		Telesouth Communications, Inc.			BLH-890724KB		
WYMX.C CP CY	256C 33 34 34	Greenwood 90 22 33	MS 100.000 kW	196.1 300M	254.43 158.1	241.0 149.8	13.43
		TeleSouth Communications, Inc.			BPH-980924IG		
WHOPFM LI CN	254C1 36 52 54	Hopkinsville 87 30 44	KY 100.000 kW	56.3 90M	224.67 139.6	209.0 129.9	15.67
		Hopkinsville Broadcasting Co.			BLH-790727AG		
WZLT LI CN	257A 35 38 05	Lexington 88 23 34	TN 5.000 kW	98.1 46M	111.60 69.4	95.0 59.0	16.60
		Lexington Broadcasting Services			BMLH-940811KA		
ALOPEN AL N	255A 37 50 53	Galatia 88 37 10	IL 0.000 kW	20.8 0M	245.87 152.8	226.0 140.5	19.87
		MM Docket #94-50 Window Closed 12/08/94					
AD257 AD	257A 35 28 21	Cherry Valley 90 51 51	AR 0.000 kW	253.5 0M	118.43 73.6	95.0 59.0	23.43
		Alalatex			RM-9340		
AD254 AD	254A 34 56 19	Cloverdale 87 46 17	AL 0.000 kW	118.8 0M	191.71 119.2	165.0 102.6	26.71
		Pulaski Broadcasting, Inc.			RM8472	940428	
AP255 AP CN	255A 37 56 48	Galatia 88 36 49	IL 6.000 kW	20.0 100M	256.27 159.3	226.0 140.5	30.27
		Daniel R. Johnson			941208ML		
AP256 AP ZCN	256A 35 23 06	Pangburn 91 44 15	AR 3.800 kW	257.7 100M	197.54 122.8	165.0 102.6	32.54
		White County Broadcasting			BPH-970723MG		
ALOPEN AL N	256A 35 26 52	Pangburn 91 48 57	AR 0.000 kW	260.1 0M	203.01 126.2	165.0 102.6	38.01
		MM Docket #96-247 Window Closed 07/24/97					

FM SERVICES IN LOSS AREA

KTMO LICENSED 60 dBu

PROPOSED MUNFORD 60 dBu

1:1,500,000

Scale in km

0 10 20 30 40 50 60 70 80 90

Comments & Counterproposal
Legend Communications, Inc.

Exhibit #3
Graham Brock, Inc.

COUNTERPROPOSAL
LEGEND COMMUNICATIONS, INC.
KTMO RADIO STATION
KENNETT, MISSOURI
June 1999

EXHIBIT #4

FM Services with 60 dBu Contour in KTMO Loss Area

KAHR	Ch 244A	Poplar Bluff, MO
KAMS	Ch 236C1	Mammoth Springs, AR
KAOG	Ch 213A	Jonesboro, AR
KASU	Ch 220C1	Jonesboro, AR
KAUF	Ch 210A	Kennett, MO
KBKG	Ch 228A	Corning, AR
KBOA-FM	Ch 288A	Piggott, AR
KBXB	Ch 250C2	Sikeston, MO
KDEX-FM	Ch 272A	Dexter, MO
KDEZ	Ch 262A	Jonesboro, AR
KDXY	Ch 285C3	Lake City, AR
KFIN	Ch 300C1	Jonesboro, AR
KIYS	Ch 270C	Jonesboro, AR
KJBR	Ch 229A	Marked Tree, AR
KJBX	Ch 294A	Trumann, AR
KJEZ	Ch 238C1	Poplar Bluff, MO
KKLR	Ch 233C1	Memphis, TN
KLQZ	Ch 296A	Paragould, AR
KLUH	Ch 213A	Poplar Bluff, MO
KMAL	Ch 224A	Malden, MO
KMIS-FM	Ch 293C2	New Madrid, MO
KOCY	Ch 287C3	Hoxie, AR
KOEA	Ch 248C2	Doniphan, MO
KOKS	Ch 208C1	Poplar Bluff, MO
KPOC-FM	Ch 280A	Pocahontas, AR
KRLW-FM	Ch 292A	Walnut Ridge, AR
KWKZ	Ch 291C2	Charleston, MO
KWYN-FM	Ch 223C2	Wynne, AR
KXOQ	Ch 282A	Kennett, MO
KZLE	Ch 226C	Batesville, AR

KTMO LICENSED 60 dBu

FM SERVICES IN GAIN AREA

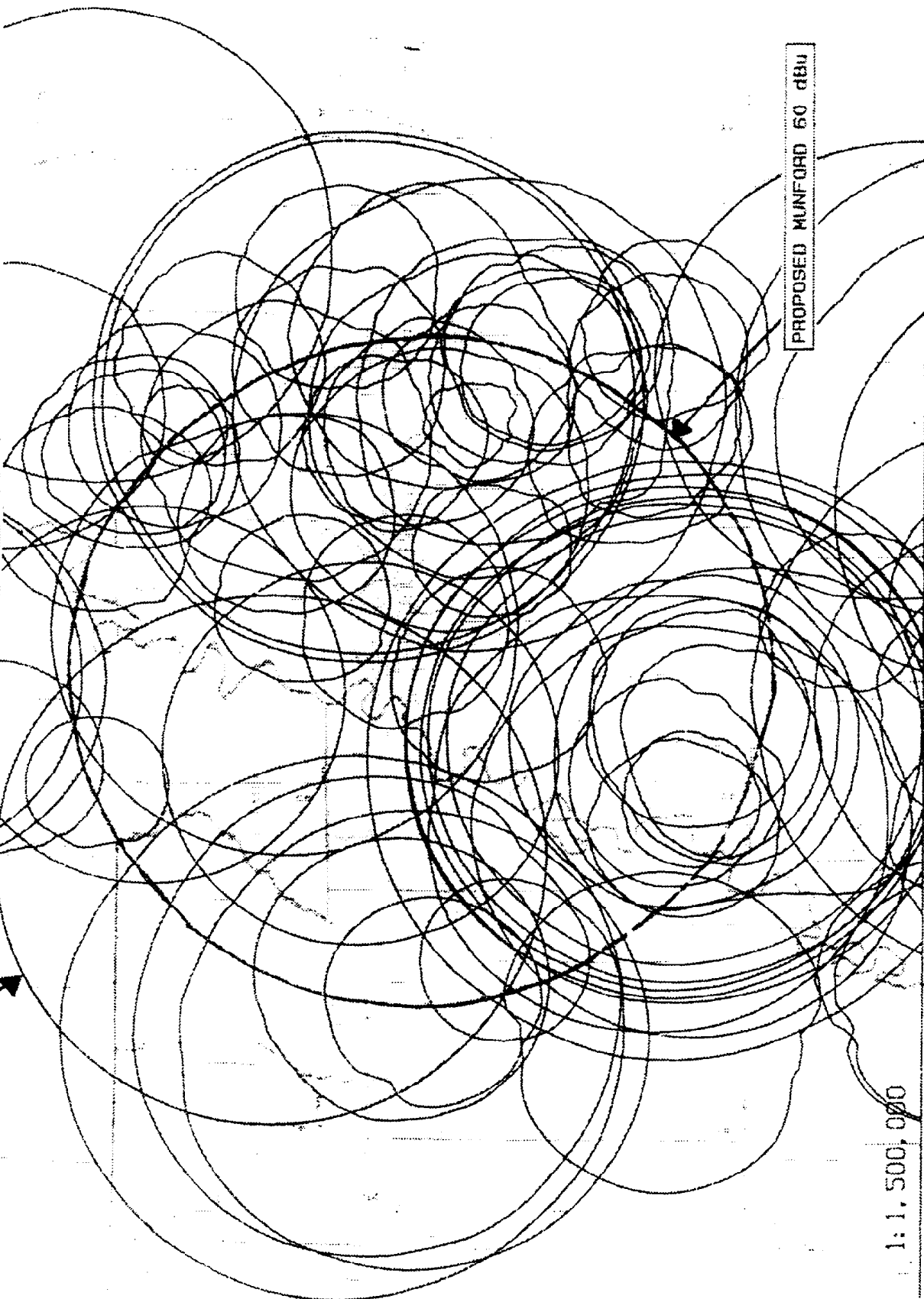
PROPOSED MUNFORD 60 dBu

1:1,500,000

Scale in km
0 10 20 30 40 50 60 70 80 90

Comments & Counterproposal
Legend Communications, Inc.

Exhibit #5
Graham Brock, Inc.



COUNTERPROPOSAL
LEGEND COMMUNICATIONS, INC.
KTMO RADIO STATION
KENNETT, MISSOURI

June 1999

EXHIBIT #6

FM Services with 60 dBu Contour in KTMO Gain Area

WGKX	Ch 290C	Memphis, TN
WKNQ	Ch 214C1	Dyersburg, TN
WTNV	Ch 281C1	Jackson, TN
KASU	Ch 220C1	Jonesboro, AR
KBXB	Ch 250C2	Sikeston, MO
KDEX-FM	Ch 272A	Dexter, MO
KDXY	Ch 285C3	Lake City, AR
KFFA-FM	Ch 276C3	Helena, AR
KFIN	Ch 300C1	Jonesboro, AR
KHLS	Ch 242C1	Blytheville, AR
KIYS	Ch 270C	Jonesboro, AR
KJBR	Ch 229A	Market Tree, AR
KJBX	Ch 294A	Trumann, AR
KJIW-FM	Ch 233C3	Helena, AR
KJMS	Ch 266C1	Memphis, TN
KMAL	Ch 224A	Malden, MO
KMIS-FM	Ch Ch 293C2	New Madrid, MO
KTMO	Ch 255C	Kennett, MO
KWKZ	Ch 291C2	Charleston, MO
KWYN-FM	Ch Ch 223C2	Wynne, AR
KXHT	Ch 296A	Marion, AR
WAMP	Ch 201A	Jackson, TN
WASL	Ch 261A	Dyersburg, TN
WBLE	Ch 263C2	Batesville, MS
WCBF	Ch 271C3	Clinton, KY
WCDZ	Ch 236A	Dresden, TN
WCMT-FM	Ch 269A	Martin, TN
WEGR	Ch 274C1	Memphis, TN
WEVL	Ch 210C3	Memphis, TN
WFGE	Ch 279C1	Murray, KY
WFHC	Ch 218A	Henderson, TN
WFKX	Ch 239A	Henderson, TN
WHHM-FM	Ch 299A	Henderson, TN
WHKL	Ch 295A	Crenshaw, MS
WHRK	Ch 246C1	Memphis, TN
WIGH	Ch 204C2	Lexington, TN
WKBL-FM	Ch 228A	Covington, TN
WKNO-FM	Ch 216C1	Memphis, TN

COUNTERPROPOSAL
LEGEND COMMUNICATIONS, INC.
KIMO RADIO STATION
KENNETT, MISSOURI
June 1999

EXHIBIT #6 (continued)

WKWT	Ch 224A	Union City, TN
WLSQ-FM	Ch 232A	Dyer, TN
WLSZ	Ch 287A	Humboldt, TN
WMAE-FM	Ch 208C1	Booneville, MS
WMAV-FM	Ch 212C	Oxford, MS
WMC-FM	Ch 259C	Memphis, TN
WMFS	Ch 225A	Bartlett, TN
WMOD	Ch 244A	Bolivar, TN
WMXX-FM	Ch 276C2	Jackson, TN
WNWS-FM	Ch 268A	Jackson, TN
WOGY-FM	Ch 231C2	Germantown, TN
WOJG	Ch 234A	Bolivar, TN
WQLJ	Ch 229C3	Savannah, TN
WQOX	Ch 203C2	Memphis, TN
WRVR-FM	Ch 283C1	Memphis, TN
WRXQ	Ch 239A	Olive Branch, MS
WSIB	Ch 230A	Selmer, TN
WSRR-FM	Ch 251C1	Millington, TN
WTBG	Ch 237A	Brownsville, TN
WTKB-FM	Ch 229A	Atwood, TN
WTRB-FM	Ch 235A	Ripley, TN
WUMR	Ch 219C2	Memphis, TN
WUMS	Ch 221A	University, MS
WURC	Ch 201A	Holly Springs, MS
WUTM	Ch 212A	Martin, TN
WVHR	Ch 265A	Huntingdon, TN
WWEZ	Ch 248C3	Trenton, TN
WWGM	Ch 226C3	Alamo, TN
WWKF	Ch 257A	Fulton, KY
WWKZ	Ch 278C	New Albany, MS
WWMS	Ch 248C1	Oxford, MS
WWUC	Ch 289A	Union City, TN
WWYN	Ch 295C1	McKenzie, TN
WWZD-FM	Ch 294C2	New Albany, MS
WXOQ	Ch 288A	Selmer, TN
WYNU	Ch 222C	Milan, TN
WYPL	Ch 297A	Memphis, TN
WZDQ	Ch 272A	Humboldt, TN
WZLQ	Ch 253C1	Tupelo, MS

Urbanized Areas

GRAHAM BROCK, INC.

BROADCAST TECHNICAL CONSULTANTS

PROPOSED MUNFORD 70 dBu

MEMPHIS URBANIZED AREA

EXHIBIT #7

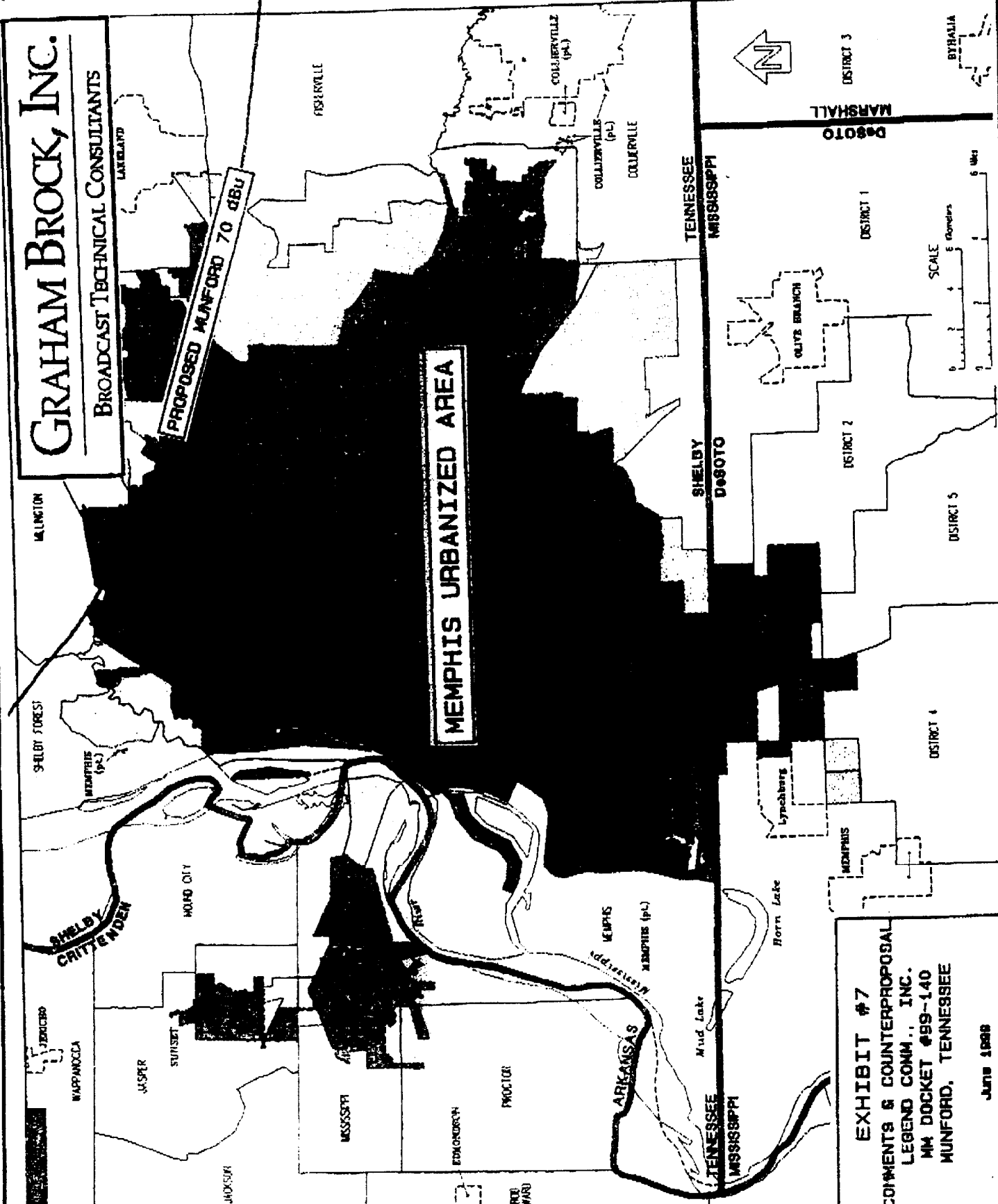
COMMENTS & COUNTERPROPOSAL

LEGEND COMM., INC.

MM DOCKET #99-140

MUNFORD, TENNESSEE

JUNE 1998



AFFIDAVIT AND QUALIFICATIONS OF CONSULTANT

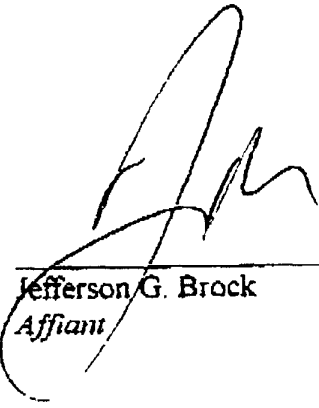
State of Georgia)
St. Simons Island) ss:
County of Glynn)

JEFFERSON G. BROCK, being duly sworn, deposes and says that he is an officer of Graham Brock, Inc. Graham Brock has been engaged by Legend Communications, licensee of Radio Station KTMO, to prepare the attached Technical Exhibit.

His qualifications are a matter of record before the Federal Communications Commission. He has been active in Broadcast Engineering since 1979.

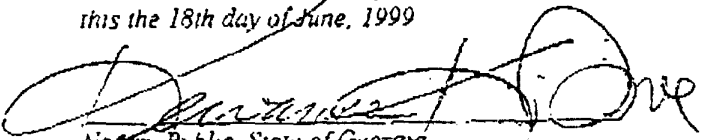
The attached report was either prepared by him or under his direction and all material and exhibits attached hereto are believed to be true and correct.

This the 18th day of June, 1999.



Jefferson G. Brock
Affiant

*Sworn to and subscribed before me
this the 18th day of June, 1999*

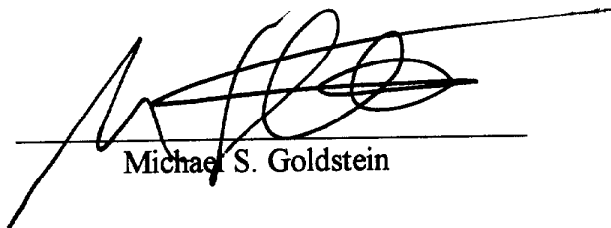


Notary Public, State of Georgia
My Commission Expires: April 20, 2002

CERTIFICATE OF SERVICE

I, Michael S. Goldstein, a secretary in the law offices of Shainis & Peltzman, Chartered, do hereby certify that on this 21st day of June, 1999, I had a copy of the foregoing "Comments and Counter Proposal" hand-delivered to:

John A. Karousos
Chief, Allocations Branch
Mass Media Bureau
Federal Communications Commission
445 - 12th Street, S.W., **Room 3-A266**
Washington, DC 20554



Michael S. Goldstein